

**BELDOCK LEVINE & HOFFMAN LLP**  
99 PARK AVENUE  
NEW YORK, N.Y. 10016-1503

ELLIOT L. HOFFMAN  
MYRON BELDOCK  
BRUCE E. TRAUNER  
PETER S. MATORIN  
KATHERINE G. THOMPSON  
ROBERT L. HERBST  
CYNTHIA ROLLINGS  
JONATHAN MOORE  
KAREN L. DIPPOLD  
JEFFREY A. GREENBERG  
JONATHAN K. POLLACK  
VERA M. SCANLON

TEL: (212) 490-0400  
FAX: (212) 557-0565  
WEBSITE: blhny.com

LAWRENCE S. LEVINE (1934-2004)  
SPECIAL COUNSEL  
MARJORY D. FIELDS  
COUNSEL  
MELVIN L. WULF

March 26, 2008

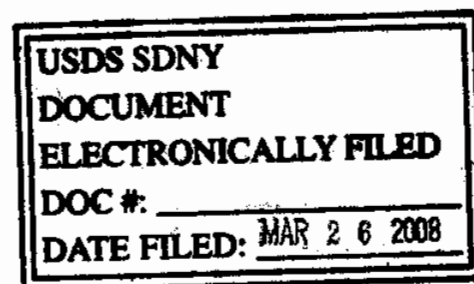
REF: 7616.01

WRITER'S DIRECT DIAL:

**VIA E-MAIL**

CrottyNYSDCChambers@nysd.uscourts.gov

Hon. Paul A. Crotty  
United States District Court  
Southern District of New York  
500 Pearl Street – Room 735  
New York, NY 10007



Re: Theodore F. Johnson v. Debra A. James, et al, 08 CV 00032 (PAC)  
Defendant William Schaap's Request For Schedule for Motion to Dismiss

Dear Judge Crotty,

We represent William Schaap, one of the defendants in the above-entitled case.

Mr. Schaap was served personally with the summons and complaint in this action on March 20, 2008. We intend to file a motion to dismiss under Rule 12, F.R.Civ. P., on his behalf.

We are familiar with your Order of February 21, 2008 setting a briefing schedule for the parties' motions to dismiss in the action. Since Mr. Schaap had not been served at the time you issued the Order, it can not apply to him. However, we are prepared to file a motion to dismiss within the 20 day time period required by Rule 12. It may be that you will want to set a separate short briefing schedule for Mr. Schaap's motion so that it may be integrated with the pending motions filed by the other defendants. This letter requests that you do so.

**MEMO ENDORSED**

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BELDOCK LEVINE & HOFFMAN LLP

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Thank you.

Yours truly,

BELDOCK LEVINE & HOFFMAN LLP

By: 


Melvin L. Wulf

MLW:jms


cc: Anthony J. Tomari (by mail)  
Theodore F. Johnson (by mail)  
Robert S. Sikorski (by mail)  
Anastasios P. Tonorezos, Esq. (by mail)  
James E. Schwartz, Esq. (by mail)  
Olga Minkina, Esq. (by mail)  
Natalia Swan (by mail)  
Yolanda Chang (by mail)  
Gwernerva "Darling" Cherry (by mail)

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Application Granted. Counsel for defendant William Schaap shall file and serve the motion to dismiss by April 16, 2008. Plaintiff's opposition to all motions to dismiss shall be filed and served by Monday, May 12, 2008 not April 17, 2008. All defendants shall file and serve reply briefs by Wednesday, May 21, 2008.

Certified Copy, Number (7002 2030 0002 7505 8272),  
Mailed By Chambers To: 

Theodore F. Johnson  
205 Brown Avenue  
Hempstead, NY 11550

**SO ORDERED** MAR 26 2008  
  
**HON. PAUL A. CROTTY**  
**UNITED STATES DISTRICT JUDGE**

*All Counsel For Defendants Notified Via – CM / ECF  
Electronic Notification.*